

REMARKS

In response to the Office Action dated September 16, 2008, Applicant respectfully requests reconsideration based on the above amendment and following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 8 and 19 have been canceled to expedite prosecution. Such cancellation should not be construed as acquiescence in any rejections.

Claims 6-10, 12, 13, and 17-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moon (6,418,309) in view of Dutta. This rejection is traversed for the following reasons.

Claim 6 recites, *inter alia*, "if the hold function is enabled based on the one or more parameters of the hold function, automatically answering the call if the call corresponds to the one or more parameters of the hold function and placing the call on hold, the automatically answering the call and placing the call on hold being performed without input from the called party at the time of the call; if the hold function is not enabled, directly ringing a called party device; determining whether the called party has pressed a button on the telecommunications device to enable a hold function." Claim 6 recites two techniques for placing a call on hold. A call may be placed on hold based on the hold function being enabled based on the one or more parameters of the hold function. A call may also be placed on hold by the user pressing a button when a call arrives. These features are described in at least paragraphs [0043] and [0044] of Applicant's specification. Neither Moon nor Dutta teaches these features.

In applying Moon to claim 8, related to a hold button, the Examiner cited to various sections of Moon describing the input mechanism to the device of Moon. Moon, however, fails to teach a hold button used to place incoming calls on hold. In Moon, the scheduling settings control how calls are placed. There is no hold button.

Dutta was relied upon for allegedly teaching placing calls from important callers on hold when in certain modes. Dutta fails to teach a hold button as recited in claim 6. Even if Dutta is combined with Moon, the features of claim 6 do not result.

For at least the above reasons, claim 6 is patentable over Moon in view of Dutta. Claims 7, 9-10, 12, 13 and 21 depend from claim 6 and are patentable over Moon in view of Dutta for at least the reasons advanced with respect to claim 6. Independent claim 17 is

patentable over Moon in view of Dutta for at least the reasons advanced with reference to claim 6. Claims 18, 20 and 22 depend from claim 17 and are patentable over Moon in view of Dutta for at least the reasons advanced with respect to claim 17.

Claims 11 and 14-16 were rejected under 35 U.S.C. § 102 as being unpatentable over Moon in view of Dutta and Okun. This rejection is traversed for the following reasons.

With respect to claim 11, Okun was relied upon for allegedly disclosing playing a message resident on a services node of a telecommunications network, but fails to cure the deficiencies of Moon in view of Dutta discussed above with reference to claim 6. Claim 11 depends from claim 6 and is patentable over Moon in view of Dutta and Okun for at least the reasons advanced with reference to claim 6.

Claim 14 recites features similar to those discussed above with reference to claim 6. Okun fails to cure the deficiencies of Moon in view of Dutta discussed above with reference to claim 6. Claim 14 is patentable over Moon in view of Dutta and Okun for at least the same reasons advanced with reference to claim 6. Claims 15-16 depend from claim 14 and are patentable over Moon in view of Dutta and Okun for at least the same reasons.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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